

108TH CONGRESS
1ST SESSION

S. 965

To require the Secretary of the Interior to implement the final rule to phase out snowmobile use in Yellowstone National Park, John D. Rockefeller Jr. Memorial Parkway, and Grand Teton National Park, and snowplane use in Grand Teton National Park.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2003

Mr. REID (for himself, Mr. CHAFEE, Mr. CORZINE, Mr. SARBANES, and Mr. LIEBERMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Secretary of the Interior to implement the final rule to phase out snowmobile use in Yellowstone National Park, John D. Rockefeller Jr. Memorial Parkway, and Grand Teton National Park, and snowplane use in Grand Teton National Park.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Yellowstone Protection
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The January 22, 2001, rule phasing out
2 snowmobile use in Yellowstone National Park,
3 Grand Teton National Park, and the John D.
4 Rockefeller Jr. Memorial Parkway was made by pro-
5 fessionals in the National Park Service who based
6 their decision on law, 10 years of scientific study,
7 and extensive public process.

8 (2) An environmental impact statement that
9 formed the basis for the rule concluded that snow-
10 mobile use is impairing or adversely impacting air
11 quality, natural soundscapes, wildlife, public and em-
12 ployee health and safety, and visitor enjoyment. Ac-
13 cording to the Environmental Protection Agency, the
14 environmental impact statement had “among the
15 most thorough and substantial science base that we
16 have seen supporting a NEPA document”.

17 (3) The National Park Service concluded that
18 snowmobile use is violating the mission given to the
19 agency by Congress—to manage the parks “in such
20 manner and by such means as will leave them
21 unimpaired for the enjoyment of future genera-
22 tions”. The National Park Service also found that
23 snowmobile use is “inconsistent with the require-
24 ments of the Clean Air Act, Executive Orders 11644
25 and 11989 [by Presidents Nixon and Carter, relat-

1 ing to off-road vehicle use on public lands], the
2 NPS’s general snowmobile regulations and NPS
3 management objectives for the parks”.

4 (4) In order to maintain winter visitor access,
5 the Park Service outlined a plan to use the already
6 existing mode of winter transportation known as
7 snowcoaches, which are mass transit, oversnow vehi-
8 cles similar to vans. The final rule states that a
9 snowcoach transit system “would reduce adverse im-
10 pacts on park resources and values, better provide
11 for public safety, and provide for public enjoyment
12 of the park in winter”.

13 (5) The National Park Service Air Resources
14 Division determined that despite being outnumbered
15 by automobiles 16 to 1 during the course of a year,
16 snowmobiles produce up to 68 percent of Yellow-
17 stone’s carbon monoxide pollution and up to 90 per-
18 cent of the park’s annual hydrocarbon emissions.

19 (6) Noise from snowmobiles routinely disrupts
20 natural sounds and natural quiet at popular Yellow-
21 stone attractions. A February 2000 “percent time
22 audible” study found snowmobile noise present more
23 than 90 percent of the time at 8 of 13 sites.

24 (7) In Yellowstone’s severe winter climate,
25 snowmobile traffic regularly disturbs and harasses

1 wildlife. In October 2001, 18 eminent scientists
2 warned the Secretary of the Interior that “ignoring
3 this information would not be consistent with the
4 original vision intended to keep our national parks
5 unimpaired for future generations”. National Park
6 Service regulations allow snowmobile use only when
7 that use “will not disturb wildlife...” (36 CFR
8 2.18(c)).

9 (8) At Yellowstone’s west entrance, park rang-
10 ers and fee collectors suffer from symptoms of car-
11 bon monoxide poisoning due to snowmobile exhaust.
12 According to National Park Service records, in De-
13 cember 2000, a dozen park employees filed medical
14 complaints citing sore throats, headaches, lethargy,
15 eye irritation, and tightness in the lungs. Their su-
16 pervisor requested more staff at the west entrance,
17 not because of a need for additional personnel to
18 cover the work there, but so the supervisor could
19 begin rotating employees more frequently out of the
20 “fume cloud” for the sake of their health. In 2002,
21 for the first time in National Park history, rangers
22 were issued respirators to wear while performing
23 their duties.

24 (9) The public opportunity to engage in the en-
25 vironmental impact study process was extensive and

1 comprehensive. During the 3-year environmental im-
2 pact study process and rulemaking, there were 4 op-
3 portunities for public consideration and comment.
4 The Park Service held 22 public hearings in regional
5 communities such as West Yellowstone, Cody, Jack-
6 son, and Idaho Falls, and across the Nation. The
7 agency received over 70,000 individual comments. At
8 each stage of the input process, support for phasing
9 out snowmobiles grew, culminating in a 4-to-1 ma-
10 jority in favor of the rule in early 2001. More re-
11 cently, 82 percent of those commenting wrote in
12 favor of the National Park Service decision to phase
13 out snowmobile use in the parks.

14 **SEC. 3. FINAL RULE CODIFIED.**

15 Beginning on the date of the enactment of this Act,
16 the Secretary of the Interior shall implement the final rule
17 to phase out snowmobile use in Yellowstone National
18 Park, the John D. Rockefeller Jr. Memorial Parkway, and
19 Grand Teton National Park, and snowplane use in Grand
20 Teton National Park, as published in the Federal Register
21 on January 22, 2001 (66 Fed. Reg. 7260–7268). The Sec-
22 retary shall not have the authority to modify or supersede
23 any provision of that final rule.

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